The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OMNI INNOVATIONS, LLC., a Washington limited liability company; JAMES S. GORDON, Jr., a married individual; EMILY ABBEY, an individual; and GRIFFIN ONLINE DOMAIN, LLC, a Washington limited liability company, Plaintiffs, v. INVIVA, INC., a Kentucky and Delaware corporation, d/b/a/ American Life Direct, and American Life Insurance Co. of New York; and JOHN DOES, I-X, Defendants.	NO. CV-06-1537-JCC DECLARATION OF DEREK NEWMAN IN OPPOSITION TO MOTION FOR PARTIAL SUMMARY JUDGMENT

I, Derek Newman, declare and testify as follows:

1. I am over eighteen years of age and am an attorney associated with counsel for the defendant in the above captioned action. I am competent to testify to the matters stated in this declaration, and make this declaration from personal knowledge of those matters.

2. The instant lawsuit is in its nascent stages. The parties have propounded written discovery requests and documents have not been exchanged. No depositions have

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been conducted.

I certify and declare under the penalty of perjury under the laws of the State of Washington and the United States that to my knowledge the foregoing is true and correct.

Executed on this 9th day of July, 2007, at Seattle, Washington.

Derek Newman

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